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 10 MATTHEW EVANS, CLYDE H. CAMPBELL,
 11 JR., individually and on behalf of all others
 12 similarly situated

13
 14 **UNITED STATES DISTRICT COURT**
 15 **IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**

16 **IN RE: TRANSPACIFIC AIR PASSENGER**
 17 **ANTITRUST LITIGATION**

18
 19 **Case No.: 07-CV-05634-CRB**
 20 **[Consolidated with CV 07-5821 VRW]**

21 **MDL No. 1913**

22 **This Document Relates to:**

23 **ALL ACTIONS and**

24 **Case No. CV 07-5821 VRW**
 25 *Evans, et al. v. Air New Zealand, et al.*

26 **JOINDER IN REQUEST TO**
 27 **APPOINT INTERIM CLASS**
 28 **COUNSEL**

29 **Date: March 28, 2008**

30 **Time: 10:00 a.m.**

31 **Judge: Hon. Charles E. Breyer**

32 Pursuant to Rule 23(g) of the Federal Rules of Civil Procedure and this Court's Local Rules,
 33 Plaintiffs, MATTHEW EVANS, CLYDE H. CAMPBELL, JR., individually and on behalf of all others
 34 similarly situated, and their counsel, Baker, Keener & Nahra, LLP submit this response in support of
 35 the Motion to Appoint Cotchett, Pitre & McCarthy ("CPM") as interim lead counsel in this case.

36 Counsel supports CPM's proposed structure and submits that it will be in the best interest of the
 37 class. We believe that the proposal made by CPM would benefit the class greatly by appointing one
 38 firm to have overall responsibility for the case, while designating to a committee responsibility for
 39 litigating claims concerning particular carriers and routes. We are aware of and respect CPM's prior
 40 experience in this type of litigation, and believe that its many years of extensive antitrust and complex
 41

1 litigation experience make it the most appropriate choice to serve as interim lead class counsel on
 2 behalf of the proposed class.

3 The attorneys of Baker, Keener & Nahra, LLP have 20 -25 years of experience in complex civil
 4 litigation. Baker, Keener & Nahra, LLP has served as Lead Counsel, Co-Lead Counsel, or on an
 5 Executive Committee in class action litigations. Baker, Keener & Nahra, LLP has served as Lead
 6 Counsel, Co-Lead Counsel or on the Executive Committee in class actions litigation involving Charles
 7 Schwab & Co., Sears Roebuck, American Golf, etc., as well litigation involving silicone breast
 8 implants and asbestos litigation.

9 Because of the many airlines and flight routes involved in this litigation, CPM's proposal to
 10 have an Executive Committee with selective law firms' designated primary responsibility for these
 11 airlines and routes is exceedingly reasonable. We believe that we could work effectively with CPM
 12 and the other plaintiffs' firms involved in this case through this committee structure, and that this type
 13 of structure would create great efficiencies which would inure to the benefit of the class. We think it
 14 makes more sense to have a single firm appointed as lead rather than multiple firms, so as to centralize
 15 the key decision making responsibility in a single place. This will be more efficient and practical.

16 For the foregoing reasons, Baker, Keener & Nahra, LLP respectfully requests that the Court
 17 appoint CPM as Interim Lead Counsel on behalf of the class plaintiffs in this litigation.

18 DATED: March 7, 2008

BAKER, KEENER & NAHRA, LLP

20 By


 21 ROBERT C. BAKER
 PHILLIP A. BAKER

22 Attorneys for Plaintiffs and the Class
 23 MATTHEW EVANS, CLYDE H. CAMPBELL, JR.,
 24 individually and on behalf of all others similarly
 25 situated

CERTIFICATE OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am over the age of 18 and not a party to the within action; I am employed by BAKER, KEENER & NAHRA, LLP in the County of Los Angeles at 633 West Fifth Street, 54th Floor, Los Angeles, California, 90071.

On March 7, 2008, I served the foregoing document(s) described as **JOINDER IN REQUEST TO APPOINT INTERIM CLASS COUNSEL** by placing true copies thereof enclosed in sealed envelope(s), as follows:

(BY MAIL) I caused to be placed said envelope(s) for collection and mailing, following ordinary business practices, at the business offices of BAKER, KEENER & NAHRA, LLP, at the address set forth and addressed as shown on the attached service list, for deposit in the United States Postal Service. I am readily familiar with the practice of BAKER, KEENER & NAHRA, LLP for collection and processing correspondence for mailing with the United States Postal Service, and said envelope(s) will be deposited with the United States Postal Service on said date in the ordinary course of business.

(BY ECF) I caused the above-referenced document(s) to be filed the Electronic Case Filing (ECF) system in the United States District Court for the Northern District of California, on all parties registered for e-filing in the Docket Number: 07-cv-05634-CRB (consolidated with CV 07-5821 VRW). Counsel of record are required by the Court to be registered e-filers, and as such, are automatically e-served with a copy of the documents upon confirmation of e-filing

(BY OVERNIGHT DELIVERY) I caused to be placed said document(s) in envelope(s) for collection following ordinary business practices , at the offices of BAKER, KEENER & NAHRA, LLP, at the address set forth below:

(FEDERAL) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed on March 7, 2008 at Los Angeles, California.

KIMBERLEY L. MIJARES

SERVICE LIST*In re: Transpacific Air Passenger Antitrust Litigation*USDC Case No.: 07-CV-05634-CRB (Consolidated with CV-07-5821 VRW)
MDL No.: 1913

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